

City of Rigby
Council Meeting Minutes
February 4, 2016

Mayor Richardson called the meeting to order at 7:00 pm Thursday, Feb. 4, 2016. The pledge of allegiance was given by Nichole Weight and the prayer was offered by Robin Dunn.

The Mayor asked the clerk to call the roll.

Councilman Walker	Present
Councilwoman Thomas	Present
Councilwoman Weight	Present
Councilman Olsen	Present
Councilman Burke	Present
Councilman Taylor	Present

Also present: Chief Keith Hammon and Attorney Robin Dunn

Amend Agenda:

The mayor noted that due to information being presented to him after the agenda was published on a matter relating to a previous executive session he would like to amend the agenda to discuss the matter in executive session per Idaho Code 74-206(f).

Councilman Taylor moved to amend the agenda to call for an executive session per Idaho Code 74-206(f) to communicate with legal counsel for controversies not yet litigated but imminently likely. Motion seconded by Councilman Walker.

The mayor called for a voice poll: All in favor none opposed.

VFW Shelter:

Cancelled due to Mr. Williams's illness.

City Joining East Idaho Water Rights Coalition:

Roger Warner, representing the East Idaho Water Rights Coalition, came forward and discussed the changes that occurred in the EIWRC. Mr. Warner gave a brief history of the water coalition where in prior years the executive board and director were volunteers. And consequently funding was minimal with city dues being \$150 per year. The prior executive director, Rebecca Casper, resigned when she was elected mayor of Idaho Falls. With that change, the board felt they needed a larger impact in Boise than what was being done. East Idaho has to a large degree has been dictated to by Boise and the Twin Falls water users.

At one of the coalition's meetings, it was decided that the board and association needed to raise substantial funds to hire a part time executive director to represent east Idaho in water rights issues. The EIWRC created a budget of \$50,000 which was assessed on a per capita assessment of thirty-five cent. The members at the meeting voted to increase the funding as proposed. Cities that are members include Idaho Falls, Blackfoot, Shelley, Sugar City, St. Anthony, and Rexburg to name a few.

The board is looking at hiring an executive director by June. The goal with the increase funding will be to have better communication with east Idaho legislators, better communications with the public and members and to have a larger voice on matters concerning water in east Idaho. Mr. Warner indicated the coalition has a seat on the Idaho Water Users Committee. Any water right legislation comes through this committee. By having a seat on the committee the coalition has a voice during the early stage of any water legislature prior to it being place before the Idaho legislature.

The mayor stated Rigby could elect not to join the association and reap the benefits of the coalition but felt Rigby should pay its fair share. He felt the coalition has a bigger voice when they represents a large segment of cities versus saying they represent a single city.

Councilman Taylor had concern was the late billing for the 2015 dues which he did not know about until 2-3 weeks ago when the city received the 2016 bill showing a balance of \$1,400 owed from 2015. Mr. Warner felt the city should request consideration on the 2015 bill and request the coalition that the city was not aware of the increase. The mayor indicated the council will review the bill during the next council meeting.

Resolution #180-2016- Signatory Authorization:

The mayor stated that with the change of council president, the city needs to issue a new resolution of authorized signers on the city checking and investments accounts.

Councilman Taylor moved that the council approve resolution #180-2016 seconded by Councilman Burke.

The mayor asked the clerk to poll the council:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Amending City Code to allow Rabbits in City

The mayor stated the he and Councilwoman Weight met during the week and reconsidered the code allowing rabbits. They reviewed the code and expanded the definition to allow a broader range of animals instead of a species by species consideration. The new draft excludes exotic animals, cows and horses and those over 50 pounds.

Council is split on doing case by case on allowing animals versus open classification to all animals except those excluded. Discussion also mentioned to remove the restriction of selling eggs and limiting chickens to 5 hens. The issue of nuisance was discussed and felt "nuisance" by definition is very subjective from one person to another. Discussion on how often the council has had to amend the ordinance over the years. Comment made once in four years.

The mayor stated that after legal publication and public hearing the council needs to re-advertise if substantial charges are made from the published notice.

Discussion felt more work was needed on either draft. The mayor polled the council to open the ordinance up allowing a broader range or case by case: Olsen – case by case; Burke- case by case; Thomas- broader range; Walker- case by case; Weight- broader ranger, Taylor – declined to comment but was open to anything.

Review of December 2015 Financial Statements:

The treasurer came forward and reviewed the December 2015 financial statements. Following the management letter he focused his review on expenditures to budget.

General Fund: He noted the overall expenditures were 20% to budget which should average around 25%. The various departments within the general fund were below 25%.

Library Fund: The library fund's expenditures were at 19% or \$33,700 with building maintenance at 43%, heat at 37%, office supplies at 36% and audio/dvd at 58%.

Park Fund: The expenditures total \$18,000 with labor and benefits totaling \$13,400 or 74% of the year to date expenditures.

Road Fund: The road fund expenditures total \$33,400 of which labor and benefits accounts for \$17,000 of the expense or 20% of budget. With the application being submitted to LHTAC committing \$170,000 to the Annis Hwy/Stockham project it leaves the road fund with uncommitted fund balance of \$113,000 for other infrastructure improvement out of an estimated \$17 million. A capital improvement plan has not be established or prepared for the road fund outside of the Annis Hwy project.

Capital Improvement Fund: The capital improvement fund a single expenditure of \$5,800 for the park/rodeo tractor out of a budget amount of \$297,400.

Park/Rodeo Committee: The park/rodeo committee received \$8,900 in receipts for the year including \$4,000 from the general fund and a late receipt of \$1,900 from the Monster truck show that was due in August. Expenditures total \$4,500 of which \$2,000 is for labor.

Water Revenue Fund: The water fund receipts were at \$130,000 or 24% of budgeted revenue. Expenditures totaled \$73,500 with various individual line items exceeding 25% range. The water fund balance is at \$1 million of which \$600,000 is restricted for future pump/tank storage leaving \$400,000 for other infrastructure improvement. To date the public works has not presented a capital improvement plan for the \$400,000.

Sanitation Fund: The sanitation fund had revenues generated totaling \$64,000 which is 26% of budget. Expenditures total \$52,000. In general all of the individual lines items are below 25% of budget.

Sewer Revenue Fund: Sewer receipts totaled \$226,000 which is 27% of budget. Expenditures total \$215,000 which is 22% of budget. Public works has provided a capital improvement plan for 5 years totaling \$2.5 million. Based on a cash available analysis (\$1.6 million) versus needs (\$2.5 million) the sewer fund will be short of funding the capital improvement plan after year three.

Sewer Bond Fund: The sewer bond fund collected receipts totaling \$154,000 which is 25% of budget. The debt service payment on the USDA and DEQ loan (\$221,000) is due later in the year.

Internal Service Fund: The internal service fund had internal charges totaling \$21,500 and expenditures totaling \$20,400. Cash available in the internal fund is at \$45,000 of which

\$40,000 is due to be transferred to the capital improvement fund to fund expenditures in that fund.

City's Investment Accounts:

The treasurer reviewed the various investment that the city has in eleven institutions totaling \$7.6 million. Interest range from 00.21% to 2.35%.

Amending 2015 Budget:

The mayor summarized the worksheet detailing the various funds that needed to be amended. They include the park/rodeo fund for salary and capital expenditures, sewer revenue fund for capital outlay, city compliance office decrease and merge into police department and a reduction in the police department excluding the inclusion of the compliance budget.

Councilman Burke asked about the police budget and whether it was being accepted as presented. Councilman Burke felt further cuts were discussed. The mayor stated any budgets could be reduced at any time.

Councilman Taylor moved to move the notice and set time and date of public hearing, February 18, 2016, for the amended budget. Motion seconded by Councilwoman Weight.

The mayor called for a roll call vote:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Approval of Minutes:

Councilwoman Thomas moved to approve the minutes of January 21, 2016 seconded by Councilwoman Weight.

The mayor called for voice poll: All in favor none opposed.

Approval of Bills:

The council asked about two invoices: Apple Books and to Food Network magazine. Councilman Walker moved to approve the bills seconded by Councilman Olsen.

The mayor called for a roll call vote:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Other Council Business:

- a. The mayor wanted the council to review the personnel policy and asked for two council members to review the personnel policy. Councilman Olsen and Burke stated they would assume the responsibility for the review.
- b. Work trailer. The mayor stated the park/rodeo committee has located an office work trailer that will be used as an office for the park/rodeo committee. The purchase of the trailer is being funded from the grant they received from Rocky Mountain Power Foundation.
- c. Motto: In God We Trust: The mayor noted the sign above the city seal which Chief Hammon had done in accordance what the council passed earlier in the year.
- d. Councilman Taylor: State that during public comment last week, the issue with the discrimination of events is between the contract holder and the park/rodeo board and city council should not be involved. Councilman Taylor asked the attorney if a public entity rents a public facility is determined by the contracting party, the attorney stated the contracting party had the discretion to run the business as they deemed necessary.
- e. Councilwoman Thomas: Asked if the senior citizen center subject to property tax. Property tax question should be addressed to the county. Also commented that the senior citizen center will be holding program on emergency preparedness for the public beginning Feb 12 through March.

Public Comment:

None

Executive Session:

Councilman Burke moved that the council enter into executive session per Idaho Code 74-206(b) seconded by Councilman Olsen.

The mayor called for a roll call vote:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Council enters executive session at 8:45pm.

Council exits executive session at 9:10pm.

Discussion regarding evaluation of employee/staff:

The mayor asked the attorney the interruption of Idaho Code 33-2608 regarding library employees. The attorney stated that as the library employees are paid according to city code and personnel policy they are deemed to be city employees. Discussion among the council as to the number of hours the director put in per week (32) and the monitoring of those hours. The mayor indicated if the director is not present a substitute will fill for her which will affect the hours the library budgets.

Kimber Tower, board chair of the Rigby Library Board, recommended that the council classify the library director as a salaried employee and that her salary be set at \$38,000 per year.

Councilman Taylor moved that the library director be classified as a salary employee and her salary be set at \$38,000 per year. Motion seconded by Councilwoman Weight.

The mayor called for a roll call vote:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Council discussed the effective date of the raise. Councilwoman Thomas moved that the effective date be February 4, 2016 seconded by Councilman Taylor.

The mayor called for a roll call vote:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Discussion on other library employees and their pay raises: The mayor stated there was not an across the board pay increase but department heads did review various employees who were granted merit increases. The library board would need to follow the same policy for their employees.

Executive Session:

Councilman Taylor moved that the council enter into executive session per Idaho Code 74-206(f) seconded by Councilwoman Weight.

The mayor called for a roll call vote:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Council enters executive session at 9:30pm.

Council exits executive session at 9:40pm.

Discussion following executive session: None

Adjournment:

Councilman Taylor moved that the council adjourn seconded by Councilman Burke.

The mayor called for voice poll: All in favor none opposed.

Council Adjourned: 9:40pm

CITY OF RIGBY



Schyler Walker, Council President

ATTEST:



David Swager, Clerk